

SEP 13 2005

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN F. CORCORAN, CLERK
BY: *J. Craft*
DEPUTY CLERK

CALVIN PERRY,
Plaintiff,

v.

**KATHLEEN BASSETT, et al.,
Defendant(s).**

Civil Action No. 7:05-cv-00519

FINAL ORDER

By: Hon. James C. Turk
Senior United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ADJUDGED and ORDERED

that this action is hereby **DISMISSED**, pursuant to 28 U.S.C. §1915A(b)(1), as plaintiff's allegations either fail to state a claim or are frivolous or malicious; plaintiff's motion for preliminary injunction is hereby **DENIED**; and the action is hereby stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to plaintiff and to counsel of record for the defendants.

ENTER: This 13th day of September, 2005.


Senior United States District Judge